

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

AMONTAE WILLIAMS,	)	
	)	
Plaintiff,	)	
	)	Hon. Matthew F. Kennelly
	)	Hon. Magistrate Heather M. McShain
v.	)	
	)	Case No. 1:20-cv-04540
	)	
BOARD OF EDUCATION OF THE	)	
CITY OF CHICAGO, et al.,	)	
	)	
Defendants.	)	

**DEFENDANTS' JOINT MOTION  
FOR A SETTLEMENT CONFERENCE REFERRAL**

Defendants Board of Education of the City of Chicago (“The Board”) and The David Lynch Foundation (“DLF”) (collectively, the “Defendants”) respectfully request that this Court enter an Order referring this case to a Magistrate Judge for purposes of conducting a settlement conference and further ordering the parties and their respective counsel to participate in good faith in the settlement conference in advance of the trial of this cause, and in support thereof state as follows:

1. Defendants respectfully request that this Court enter an Order referring this case to a Magistrate Judge for the purposes of conducting a settlement conference. Defendants are very interested in conducting a good-faith settlement conference with a Magistrate Judge in advance of the trial of this cause.
2. This case is set for trial on October 10, 2023.
3. Defendants believe that there is a strong possibility that this case can be resolved short of trial with the assistance of a Magistrate Judge.

4. Prior to filing this Motion, counsel for both The Board as well as counsel for DLF have attempted to engage with Plaintiff's counsel regarding settlement of this matter, but have been unable to reach resolution, despite good faith attempts and significant back and forth dialogue with counsel for Plaintiff.

5. Counsel for Defendants are concerned that their settlement offers are not being properly communicated to Plaintiff for his consideration.

6. For example, in its prior opinion denying class certification, the Court noted its concern that, “[d]uring his deposition, Amontae testified that he understood the [Engagement Letter with his attorneys means that] his counsel would recommend denial of any settlement offers that lacked sufficient attorneys' fees and costs – including offers that are in the best interests of Amontae and his proposed classes.” [Doc. 203, p. 5.]

7. The Court further stated that Plaintiff is no more than a “figurehead” in this litigation, and Defense counsel shares this concern. [Doc. 203, p. 9.] Accordingly, ordering a settlement conference, with a Magistrate Judge, with Plaintiff in attendance, will ensure that Plaintiff is present, understands the stakes and risk involved in settlement or trial; and that Plaintiff is hearing, from a Judicial Officer of the Court, Defense counsel's proposals to resolve his case, including the monetary benefit that would inure to Plaintiff personally from any such settlement.

8. Finally, even if Plaintiff's counsel has conveyed prior settlement offers to Plaintiff, Plaintiff's deposition testimony strongly suggests that Plaintiff did not, or does not, sufficiently understand the process and substance of what a settlement offer is and the implications of the same.

9. Therefore, for these reasons, Defendants believe that the assistance of a Magistrate Judge is crucial to aid Plaintiff's understanding of the settlement negotiation process, Defendants' offers, and allowing the parties to resolve this case short of trial.

WHEREFORE, for all these reasons, Defendants Board of Education of the City of Chicago and The David Lynch Foundation respectfully request that this Court enter an Order referring this case to a Magistrate Judge to conduct a Settlement Conference in advance of the previously set trial date.

Dated: August 24, 2023.

Respectfully submitted

**Board of Education of The City of Chicago**

By: /s/ David J. Stein  
Tiffany S. Fordyce  
fordycet@gtlaw.com  
David J. Stein  
david.stein@gtlaw.com  
GREENBERG TRAURIG, LLP  
77 W. Wacker Drive, Suite 3100  
Chicago, Illinois 60601  
T: (312) 456-1031  
F: (312) 899-8435  
*Attorneys for Defendant Board of Education of The City of Chicago*

**The David Lynch Foundation**

By: /s/ James J. Sipchen  
James J. Sipchen  
jsipchen@pretzel-stouffer.com  
Kayla A. Condeni  
kcondeni@pretzel-stouffer.com  
PRETZEL & STOUFFER, CHARTERED  
200 S. Wacker Drive, Suite 2600  
Chicago, IL 60606  
T: (312) 578-7441  
F: (312) 346-8242

Mark L. Zaiger  
mlz@shuttleworthlaw.com  
SHUTTLEWORTH @INGERSOLL  
115 Third Street S.E.

#500  
Cedar Rapids, IA 52403  
T: (319) 365-9461  
*Attorneys for Defendant The David Lynch Foundation*

**CERTIFICATE OF SERVICE**

I, David J. Stein, an attorney, hereby certify that on August 24, 2023, I caused the foregoing  
**DEFENDANTS' JOINT MOTION FOR A SETTLEMENT CONFERENCE REFERRAL**  
to be electronically mailed to all registered parties.

By: /s/ David J. Stein  
One of Its Attorneys